

for wild type genes (e.g., as recited in claim 22).

Remarks

With respect to the Restriction Requirement, Applicants traverse the Requirement and respectfully request that the Examiner consider rejoining at least Groups I, II, III, and VI. Each of the groups relate to the generation and use of a predictiveness matrix and computer software for generating a predictiveness matrix. Thus, a search for art relating to one group will necessarily uncover art relating to the other groups and examination of the groups together will not pose undue burden on the Examiner. Should the Examiner consider rejoining the Groups as suggested above, Applicants would elect for a single variation or mutation, a variation which comprises exons (e.g., as recited in claim 91). Applicants would also elect as the single limitation for what the nucleic acid or codon comprises, a nucleic acid which comprises DNA (e.g., as recited in claim 106).

With respect to the election of species requirement, Applicants note that the base claims from which the species claims depend are generic and that upon indication of allowable subject matter, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of the appropriate allowed generic claims.


This election of Group I and species is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter in the application. The right to file divisional applications on any or all of the non-elected claims is reserved.

CONCLUSION

Applicants submit that all claims are allowable as written and respectfully

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request early favorable action by the Examiner. If the Examiner believes that a telephone conversation with Applicants' attorney would expedite prosecution of this application, the Examiner is cordially invited to call the undersigned attorney of record.

Respectfully submitted,
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